

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3, 5-15, and 17-34 are currently pending in this application. Claims 1, 11, 12 and 14 are independent, and are hereby amended in this response.

The drawings were objected to as failing to show features “a plurality of lists in a hierarchy” and “a different level of the hierarchy.” Applicant respectfully submits that these features are shown in FIGS. 11A – D of the application as originally filed. Specifically, FIGS. 11A-B, C and D show a plurality of lists in a hierarchy, and FIGS. 11B, C and D show a different level of hierarchy. Applicant therefore requests withdrawal of the objection.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3, 5, 6, 9-15, 17-25 and 28-34 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,332,024 to Inoue et al. (hereinafter, merely “Inoue”) in view of U.S. Patent No. 6,128,012 to Seidensticker Jr. et al. (hereinafter, merely “Seidensticker”).

Independent claim 1 recites, *inter alia*:

“A portable communication apparatus comprising ...
a controller configured to shift said pointer to a desired position in accordance with an operation of said operation unit, **to eliminate a mark indicating a direction if said pointer can not be shifted to another list in a different level of the hierarchy.**”
(Emphasis added)

In the "Response to Arguments" section of the action, the Examiner contends that Seidensticker teaches a display unit 34 configured to display a list of menu, a point (a bold indication) and arrowhead marks 132 and 134, wherein a mark is eliminated when the mark indicating a direction if the pointer cannot be shifter to another list, therefore a skilled artisan would be motivated to combine the teachings of Inoue and Seidensticker for producing the claimed invention. Applicant respectfully disagrees.

Applicant submits that the relied upon portions of Seidensticker merely disclose arrowhead marks 132 and 134, which show a direction (up or down) in which a selection pointer can be shifted **within a particular list**. Seidensticker does **not** teach or suggest eliminating the mark indicating a direction if the pointer can not be shifted to another list **in a different level of the hierarchy**, as recited in claim 1.

For example, according to the instant invention, the leftwardly shiftable mark 73 is displayed if the leftward direction key 18 can be operated in the leftward direction, and it is not displayed if the leftward direction key 18 cannot be operated in the leftward direction. The leftwardly shiftable mark 73 is displayed, for example, if the focus F can be shifted in a direction of an arrow "c" in FIG. 10 (i.e., for example, if a selectable information exists at a further leftward position of the focused information or **if there is a screen of an upper hierarchy of the selected information**), and it is not displayed if the focus F can not be shifted in the direction of the arrow "c" in FIG. 10 (i.e., for example, if the selectable information does not exist at the further leftward position of the focused information or **if there is not the screen of the upper hierarchy of the selected information**). Similarly, the rightwardly shiftable mark 74 is displayed if the rightward direction key 19 can be operated in the rightward direction, and it is not displayed if the rightward direction key 19 cannot be operated in the rightward direction. That

is, the rightwardly shiftable mark 74 is displayed, for example, if the focus F can be shifted in a direction of an arrow "d" in FIG. 10 (i.e., for example, if a selectable information exists at a further rightward position of the focused information or if there is a screen of a lower hierarchy of the selected information), and it is not displayed if the focus F can not be shifted in the direction of the arrow "d" in FIG. 10 (i.e., for example, if the selectable information does not exist at the further rightward position of the focused information or if there is not the screen of the lower hierarchy of the selected information).

As another example, in FIG. 11A of the instant application is a display screen of a state at which when a jump menu screen is displayed, the focus F points out a character string of "Jump" of its menu title. The upwardly shiftable mark 71, the downwardly shiftable mark 72 and the leftwardly shiftable mark 73 are displayed at the state of this display screen. At this time, it is possible to shift the focus F upwardly and downwardly using the rotation push switch 14. Moreover, at this time, it is also possible to display the lower hierarchy on the screen by pushing the rightward direction key 19.

Pushing the rightward direction key 19 on the display screen of FIG. 11A results in a display screen of FIG. 11B. This display screen of FIG. 11B is a selection screen showing an individual menu within the jump menu, and it is a screen of a state at which the focus F points out a selection position of "Internet". The upwardly shiftable mark 71, the downwardly shiftable mark 72, the leftwardly shiftable mark 73 and the rightwardly shiftable mark 74 are displayed on this display screen. At this time, it is possible to shift the focus F upwardly and downwardly by rotating the rotation push switch 14. Moreover, at this time, it is also possible to display the upper hierarchy (the screen of FIG. 11A) on the screen by pushing the leftward direction key 18, and to display the lower hierarchy on the screen by pushing the rightward direction key 19.

Pushing the left soft key 16 on the display screen of FIG. 11B results in a display screen of FIG. 1C. This display screen of FIG. 11C is an edition screen showing an individual menu within the jump menu. The upwardly shiftable mark 71 and the downwardly shiftable mark 72 are displayed on this display screen. At this time, it is possible to shift the focus F upwardly and downwardly by rotating the rotation push switch 14.

Pushing the right soft key 17 on the display screen of FIG. 11B results in a display screen of FIG. 1D. This display screen of FIG. 11D is an addition screen of an individual menu display within the jump menu. The upwardly shiftable mark 71, the downwardly shiftable mark 72 and the leftwardly shiftable mark 73 are displayed on this display screen. At this time, it is possible to shift the focus F upwardly and downwardly by rotating the rotation push switch 14. Moreover, at this time, it is also possible to display the lower hierarchy on the screen by pushing the rightward direction key 19. See the instant application, paragraphs [0125] - [0132] (It is to be noted that the above explanation is purely exemplary, and is being provided in order to elucidate the claimed subject matter, and that the scope of the present invention is in no way limited to or confined to the above discussed examples).

Therefore, Applicant submits that the relied upon portions of Seidensticker, clearly, fail to teach or disclose the above identified feature of claim 1. Thus, none of the cited references, either alone or in combination, teach or disclose the above identified feature of claim 1. Specifically, Applicant submits that there is no teaching or suggestion in Inoue or Seidensticker, considered either alone or in combination, for a display unit configured to display a plurality of lists in hierarchy **and to eliminate a mark indicating a direction if the point cannot be shifted to another list in a different level of the hierarchy**, as recited in claim 1.

Therefore, claim 1 is patentable. For similar reasons, independent claims 11, 12 and 14 are also patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

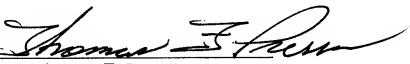
In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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